

# State of South Dakota

## EIGHTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2010

382R0711

### SENATE BILL NO. 173

Introduced by: Senators Jerstad, Fryslie, Merchant, and Schmidt and Representatives Hunhoff (Bernie), Blake, Burg, Kirkeby, Solberg, and Thompson

1 FOR AN ACT ENTITLED, An Act to provide a maximum finance charge for payday loans and  
2 title loans.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 54-4-44 be amended to read as follows:

5 54-4-44. After procuring such license from the Division of Banking, the licensee may  
6 engage in the business of making loans and may contract for and receive interest charges and  
7 other fees at rates, amounts, and terms as agreed to by the parties which may be included in the  
8 principal balance of the loan and specified in the contract. However, no payday lender or title  
9 lender may contract for or receive a finance charge at a rate, when expressed as an annual  
10 percentage rate, that exceeds seventy-two percent.

